

AMENDED IN ASSEMBLY JANUARY 4, 2010

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## ASSEMBLY BILL

**No. 35**

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**Introduced by Assembly Member Furutani**

December 1, 2008

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*An act relating to education to amend Section 66903 of the Education Code, relating to education.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 35, as amended, Furutani. Education: workforce ~~preparation~~ *development*.

Under existing law, the public school system of the state includes, among other schools, secondary and technical schools. Existing law provides for various career technical and workforce preparation programs in the public schools.

Existing law also establishes the University of California, the California State University, and the California Community Colleges as the 3 segments of public postsecondary education in this state. Existing law declares that it is the intent of the Legislature that those institutions provide a collegiate experience that gives each student specified skills and that an undergraduate education prepare students to have the flexibility to adapt to, among other things, new workforce needs.

Existing law establishes the California Postsecondary Education Commission as the statewide postsecondary education planning and coordinating agency and provides for its functions and responsibilities, including advising the Legislature and the Governor on matters related to postsecondary education.

This bill would declare the intent of the Legislature to enact legislation to develop a strategic plan in the education system for workforce preparation *and career technical education*.

~~The bill also would require the California Postsecondary Education Commission, in conjunction with the State Department of Education and the California Workforce Investment Board, to conduct stakeholder meetings to develop recommendations for a strategic plan for workforce development and career technical education in the public education system. The bill would require the commission to report the recommendations to the Legislature.~~

*This bill would require the California Postsecondary Education Commission to develop a strategic plan for connecting education and workforce development in the state. The bill would require the commission to cooperate with the State Department of Education, the California Workforce Investment Board, and representatives from education, business, and labor organizations to make specified recommendations in the strategic plan. The bill would require that the strategic plan include specified provisions. The bill would require the commission to report its recommendations for the strategic plan to the Governor and the Legislature on or before July 1, 2011.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. It is the intent of the Legislature to enact  
2 legislation to develop a strategic plan in the education system for  
3 workforce preparation *and career technical education*.

4 ~~SEC. 2. The California Postsecondary Education Commission,~~  
5 ~~in conjunction with the State Department of Education and the~~  
6 ~~California Workforce Investment Board, shall conduct stakeholder~~  
7 ~~meetings throughout the state to develop recommendations for a~~  
8 ~~strategic plan for workforce development and career technical~~  
9 ~~education in the public education system. The California~~  
10 ~~Postsecondary Education Commission shall report these~~  
11 ~~recommendations to the Legislature.~~

12 SEC. 2. *Section 66903 of the Education Code is amended to*  
13 *read:*

14 66903. The commission has the following functions and  
15 responsibilities in its capacity as the statewide postsecondary

1 education planning and coordinating agency and adviser to the  
2 Legislature and the Governor:

3 (a) It shall require the governing boards of the segments of  
4 public postsecondary education to develop and submit to the  
5 commission institutional and systemwide long-range plans in a  
6 form determined by the commission after consultation with the  
7 segments.

8 (b) It shall prepare a state plan for postsecondary education that  
9 shall integrate the planning efforts of the public segments with  
10 other pertinent plans. The commission shall seek to resolve  
11 conflicts or inconsistencies among segmental plans in consultation  
12 with the segments. If these consultations are unsuccessful, the  
13 commission shall report the unresolved issues to the Legislature  
14 with recommendations for resolution. In developing the plan, the  
15 commission shall consider at least the following factors:

16 (1) The need for, and location of, new facilities.

17 (2) The range and kinds of programs appropriate to each  
18 institution or system.

19 (3) The budgetary priorities of the institutions and systems of  
20 postsecondary education.

21 (4) The impact of various types and levels of student charges  
22 on students and on postsecondary education programs and  
23 institutions.

24 (5) The appropriate levels of state-funded student financial aid.

25 (6) The access and admission of students to postsecondary  
26 education.

27 (7) The educational programs and resources of independent and  
28 private postsecondary institutions.

29 (8) The provisions of this division differentiating the functions  
30 of the public systems of higher education.

31 (c) It shall update the plan periodically, as appropriate.

32 (d) It shall participate in appropriate stages of the executive and  
33 the legislative budget processes as requested by the executive and  
34 the legislative branches, and shall advise the executive and the  
35 legislative branches as to whether segmental programmatic  
36 budgetary requests are compatible with the state plan. It is not  
37 intended that the commission hold independent budget hearings.

38 (e) It shall advise the Legislature and the Governor regarding  
39 the need for, and location of, new institutions and campuses of  
40 public higher education.

1 (f) It shall review proposals by the public segments for new  
2 programs, the priorities that guide them, and the degree of  
3 coordination with nearby public, independent, and private  
4 postsecondary educational institutions, and shall make  
5 recommendations regarding those proposals to the Legislature and  
6 the Governor.

7 (g) In consultation with the public segments, it shall establish  
8 a schedule for segmental review of selected educational programs,  
9 evaluate the program approval, review, and disestablishment  
10 processes of the segments, and report its findings and  
11 recommendations to the Legislature and the Governor.

12 (h) It shall serve as a stimulus to the segments and institutions  
13 of postsecondary education by projecting and identifying societal  
14 and educational needs and encouraging adaptability to change.

15 (i) It shall periodically collect or conduct, or both collect and  
16 conduct, studies of projected manpower supply and demand, in  
17 cooperation with appropriate state agencies, and disseminate the  
18 results of those studies to institutions of postsecondary education  
19 and to the public in order to improve the information base upon  
20 which student choices are made.

21 (j) It shall periodically review and make recommendations  
22 concerning the need for, and availability of, postsecondary  
23 programs for adult and continuing education.

24 (k) It shall develop criteria for evaluating the effectiveness of  
25 all aspects of postsecondary education.

26 (l) It shall maintain and update annually an inventory of all  
27 off-campus programs and facilities for education, research, and  
28 community services operated by public and independent institutions  
29 of postsecondary education.

30 (m) (1) It shall act as a clearinghouse for postsecondary  
31 education information and as a primary source of information for  
32 the Legislature, the Governor, and other agencies. It shall develop  
33 and maintain a comprehensive ~~data base~~ *database* that does all of  
34 the following:

35 (A) Ensures comparability of data from diverse sources.

36 (B) Supports longitudinal studies of individual students as they  
37 progress through the state's postsecondary educational institutions,  
38 based upon the commission's existing student ~~data base~~ *database*  
39 through the use of a unique student identifier.

1 (C) Is compatible with the California School Information System  
2 and the student information systems developed and maintained by  
3 the public segments of higher education, as appropriate.

4 (D) Provides Internet access to data, as appropriate, to the sectors  
5 of higher education.

6 (E) Provides each of the educational segments access to the data  
7 made available to the commission for the purposes of the ~~data base~~  
8 *database*, in order to support, most efficiently and effectively,  
9 statewide, segmental, and individual campus educational research  
10 information needs.

11 (2) The commission, in implementing paragraph (1), shall  
12 comply with the federal Family Educational Rights and Privacy  
13 Act of 1974 (20 U.S.C. Sec. 1232g) relating to the disclosure of  
14 personally identifiable information concerning students.

15 (3) The commission may not make available any personally  
16 identifiable information received from a postsecondary educational  
17 institution concerning students for any regulatory purpose unless  
18 the institution has authorized the commission to provide that  
19 information on behalf of the institution.

20 (4) The commission shall provide 30-day notification to the  
21 chairpersons of the appropriate legislative policy and budget  
22 committees of the Legislature, to the Director of Finance, and to  
23 the Governor prior to making any significant changes to the student  
24 information contained in the ~~data base~~ *database*.

25 (n) It shall establish criteria for state support of new and existing  
26 programs, in consultation with the public segments, the Department  
27 of Finance, and the Joint Legislative Budget Committee.

28 (o) It shall comply with the appropriate provisions of the federal  
29 Education Amendments of 1972-~~(P.L.~~ *(Public Law 92-318)*, as  
30 specified in Section 67000.

31 (p) It shall consider the relationship among academic education  
32 and vocational education and job training programs, and shall  
33 actively consult with representatives of public and private  
34 education.

35 (q) It shall review all proposals for changes in eligibility pools  
36 for admission to public institutions and segments of postsecondary  
37 education and shall make recommendations to the Legislature, the  
38 Governor, and institutions of postsecondary education. In carrying  
39 out this subdivision, the commission periodically shall conduct a  
40 study of the percentages of California public high school graduates

1 estimated to be eligible for admission to the University of  
2 California and the California State University. The changes made  
3 to this subdivision during the 2001–02 Regular Session of the  
4 Legislature shall be implemented only during those fiscal years  
5 for which funding is provided for the purposes of those provisions  
6 in the annual Budget Act or in another measure.

7 (r) It shall report periodically to the Legislature and the Governor  
8 regarding the financial conditions of independent institutions, their  
9 enrollment and application figures, the number of student spaces  
10 available, and the respective cost of utilizing those spaces as  
11 compared to providing additional public spaces. The reports shall  
12 include recommendations concerning state policies and programs  
13 having a significant impact on independent institutions.

14 (s) Upon request of the Legislature or the Governor, it shall  
15 submit to the Legislature and the Governor a report on all matters  
16 so requested that are compatible with its role as the statewide  
17 postsecondary education planning and coordinating agency. Upon  
18 request of individual Members of the Legislature or personnel in  
19 the executive branch, the commission shall submit information or  
20 a report on any matter to the extent that sufficient resources are  
21 available. From time to time, it also may submit to the Legislature  
22 and the Governor a report that contains recommendations as to  
23 necessary or desirable changes, if any, in the functions, policies,  
24 and programs of the several segments of public, independent, and  
25 private postsecondary education.

26 (t) In consultation with the public segments, it shall consider  
27 the development of facilities to be used by more than one segment  
28 of public higher education, commonly called “joint-use facilities.”  
29 It shall recommend to the Legislature criteria and processes for  
30 different segments to utilize bond funds for these intersegmental,  
31 joint-use facilities.

32 (u) It may undertake other functions and responsibilities that  
33 are compatible with its role as the statewide postsecondary  
34 education planning and coordinating agency.

35 (v) (1) *It shall develop a strategic plan for connecting education*  
36 *and workforce development in the state. In cooperation with the*  
37 *State Department of Education, the California Workforce*  
38 *Investment Board, and representatives from education, business,*  
39 *and labor organizations, the commission shall make*  
40 *recommendations in the strategic plan that address the contribution*

1 of academic and career technical education, at all levels of  
2 education, to workforce development.

3 (2) The strategic plan shall include, but is not limited to, all of  
4 the following provisions:

5 (A) How the state determines appropriate measures for  
6 evaluating and collecting data on future workforce needs.

7 (B) The alignment of workforce needs with future postsecondary  
8 education programs and capacity at both the state and regional  
9 levels.

10 (C) Strategies for fostering long-term improvements in workers'  
11 skills and knowledge.

12 (D) Methods for closing the skills gap and strengthening the  
13 nexus between education and the workforce.

14 (E) Appropriate measures for improving data collection on  
15 future workforce needs.

16 (3) It is the intent of the Legislature that the commission solicit  
17 input from K–12 and postsecondary education institutions, local  
18 workforce investment boards, and other appropriate governmental  
19 entities in developing recommendations for the strategic plan.

20 (4) The commission shall report its recommendations for the  
21 strategic plan to the Governor and the Legislature on or before  
22 July 1, 2011.